## SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE PROCEEDINGS

RE: ANITA JONES, RN

ORDER OF SUSPENSION

License No. R033097,

Licensee.

WHEREAS, Anita Jones, RN ("Licensee"), is licensed to practice as a registered nurse in the State of South Dakota and holds license number R033097;

WHEREAS, the Board received a complaint alleging Licensee engaged in conduct violating SDCL § 36-9-49 (2), (4), (5), (10), and/or SDCL § 36-9-49.1 in that Licensee diverted controlled substances from her employer and has been charged and will plead guilty to a felony for this drug-related act;

WHEREAS, Licensee and the Board previously resolved the pending complaint against Licensee by entered into an agreed upon disposition that Licensee would participate in the Health Professional Assistance Program (HPAP) with a stayed suspension, so long as she successfully complied with HPAP requirements; and

WHEREAS, Licensee has since decided not to participate in HPAP and therefore has violated the Board's Order Mandating HPAP and Stayed Suspension.

THEREFORE, IT IS HEREBY ORDERED

1. Licensee's Stayed Suspension is no longer stayed due to Licensee's failure to comply with the mandated HPAP participation;

- 2. Licensee's South Dakota nursing license is suspended, without the requirement for further hearing, notice, or findings of fact and conclusions of law, those being expressly waived by Licensee;
- 3. Licensee's license to practice nursing in South Dakota and any privilege to practice nursing pursuant to the Nurse Licensure Compact is hereby suspended for an indefinite period from the date of this Order.
- 4. Licensee may apply to have Licensee's license reinstated for good cause shown, but nothing in this Order should or does imply that the Licensee will be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.
- 5. If Licensee requests reinstatement, Licensee has the burden under SDCL § 36-9-57 to present information showing that good cause exists for the Board to exercise its discretion to reinstate Licensee's license.
- 6. Licensee is hereby notified that any practice of or holding herself out as a licensed registered nurse during the term of this suspension is in violation of SDCL § 36-9-68.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, RN, MSʻ

**Executive Director**